

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

OMAR AGUIRRE,

Defendant.

2:10-CR-617-RLH (PAL)

**AMENDED PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on December 23, 2010, defendant OMAR AGUIRRE pled guilty to a One-Count Criminal Information charging him with Conspiracy in violation of Title 18, United States Code, Sections 371, 842(a)(3)(A) and (B), 844(a), 922(a)(1)(A) and (o), and Title 26, United States Code, Sections 5841, 5861(d), and 5871.

This Court finds defendant OMAR AGUIRRE agreed to the forfeiture of the property set forth in the Plea Memorandum.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Memorandum and the offense to which defendant OMAR AGUIRRE pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1); Title 26, United States Code, Section 5872 and Title 28, United States Code, Section 2461(c); and Title 18, United States Code, Section 981(a)(1)(C) and (G) and Title 28, United States Code, Section 2461(c):

1. Romarm Model GP-WASR AK-47 style 7.62mm rifle, serial # PU-6692-85;
2. YUGO model 59/66, 7.62mm rifle, serial # 551451;
3. Norinco, Model SKS, 7.62mm rifle, serial # 20029181;
4. IZHMAASH model Saiga, 7.62 mm rifle, serial # H03104475;
5. Uzi 9mm semi-auto pistol, serial # UP03531;
6. JLD Enterprises Model PTR91, .308 caliber semi-auto rifle, serial # A1341;
7. Harrington and Richardson, Model Handi Rifle, .223 caliber rifle, serial #  
HX200769;
8. Ruger Mini-14, .223 caliber semi-auto rifle, serial # 185-35560;
9. UNK, M1, 30 Cal rifle, serial # 8847153;
10. Poland, Model PMKMS (AKM-type), 7.62 x 39 mm caliber machine gun,  
serial # KM15107; with one 30-round magazine;
11. Romania, Model AIM / PM63 (AKM-type), 7.62 x 39 mm caliber machine gun,  
serial # FG0211; with one 30-round magazine;
12. Tula, Model AKM, 7.62 x 39 caliber machine gun, serial # 596014;
13. Izhevsk, Model AKMS, 7.62 x 39 caliber machine gun, serial # 219291;
14. Vulcan Arms Model V15, 5.56mm, full-auto machine gun rifle, serial #  
P8244;
15. Romanian, Model AIM / PM63 (AKM-type), 7.62 x 39mm caliber machine  
gun, serial # NU4956;
16. Tula, model AKM, 7.62 x 39mm caliber machine gun, serial # 981151;
17. Izhevsk, Mod. AKM, 7.62 x 39 mm cal. machine gun, identified by number  
B1601;
18. Bulgarian, Mod. AKK (AK-47), 7.62 x 39mm cal. machine gun, serial # KO  
154011;
- ...

19. Romanian, Model AIMS/PM65 (AKM-type), 7.62x39mm cal. machine gun, serial # AF2192
20. AKM-Type, 7.62x39 mm cal. machine gun, maker uncertain, serial # UM-7313-05;
21. Iraq, Model Tabuk (AKM-Type), 7.62x39mm cal. machine gun, serial # 8037669;
22. Zastava Arms, Model M70AB2, 7.62x39mm cal. machine gun, serial # B-95917;
23. Tula, Model AKM, 7.62 X 39mm caliber machine gun, serial # 842782;
24. Tula, Model AKM, 7.62 X 39mm machine gun, serial # 596085;
25. Norinco, Model 56-1 7.62 X 39mm caliber machine gun, serial # 26022877;
26. Tula, Model AKM 7.62 X 39mm caliber machine gun, serial # 597584;
27. Zastava Arms, model M70AB2, 7.62 X 39mm caliber machine gun, serial # B-96106;
28. Zastava Arms, Model M70AB2, 7.62 X 39mm caliber machine gun, serial # 602379;
29. Ruger, P95DC,, 9mm pistol, serial # 314-38221;
30. Ruger, P95DC, 9mm pistol, serial # 315-58276;
31. Ruger, P95DC, 9mm pistol, serial # 315-65017;
32. Ruger, P95DC, 9mm, serial # 314-39509;
33. Ruger, P95DC, 9mm, serial # 315-65022;
34. Arms Corps M-21/14 7.62 rifle, serial # 11738;
35. Savage 300 Rem. rifle, serial # F936150;
36. Colt, AT-15 .223 rifle, serial # LBD032093;
37. Ithaca, unknown caliber shotgun, serial # 371290356;
38. Ruger P95, 9mm serial # 314-34728;

39. Deringer, .45 caliber pistol, serial # 48977;
40. Smith & Wesson, .357 revolver, serial # BNW1214;
41. Masterpiece Arms, .45 caliber pistol with extension, serial # A4802;
42. Remington, Model 742, serial # 4771;
43. Ruger, model P95DC, 9mm pistol, serial # 314-34729;
44. Ruger, model P95DC, 9mm pistol, serial # 315-65178;
45. Sig Sauer, model P220, .45 caliber pistol, serial # G369927;
46. Unknown manufacturer, unknown model, unknown caliber rifle, serial #  
61134;
47. New England Arms, model P, 12 GA shotgun, serial # NM323393;
48. Unknown manufacturer, unknown model, unknown caliber rifle, serial #  
32413;
49. Unknown manufacturer, model 98, unknown caliber rifle, serial # T9348;
50. Winchester, model 1200, 12 GA shotgun, serial # L1156207;
51. Romanian, model PSL rifle, 7.62 x 54R caliber machine gun Serial Number:  
N4250;
52. Unknown manufacturer, unknown model, unknown caliber machine gun,  
serial # F-3452;
53. Unknown manufacturer, unknown model, unknown caliber machine gun,  
serial # 56401731;
54. Unknown manufacturer, unknown model, unknown caliber machine gun,  
serial # 598675;
55. Ruger, model P95DC, 9mm pistol, serial # 315-65182;
56. Star, Bonifacio Echeverria, model Gold Setra 2002, 9mm hand gun, serial  
# 60519;
57. Beretta, Pietro S.P.A., model 92S, 9mm hand gun, serial # X22657Z;

- 1 58. Ruger, model P95DC, 9mm caliber pistol, serial # 315-63353;
- 2 59. Unknown manufacturer, model MP-5, 9mm caliber machine gun, serial
- 3 # C49892;
- 4 60. Beretta, Pietro S.P.A., model 12S, 9mm caliber machine gun, serial #
- 5 F08191;
- 6 61. Unknown manufacturer, unknown model, unknown caliber machine gun,
- 7 serial # U6335;
- 8 62. Unknown manufacturer, model M92, unknown caliber machine gun, serial
- 9 # 83566;
- 10 63. Unknown manufacturer, model M92, unknown caliber machine gun, serial
- 11 # 83587;
- 12 64. Unknown manufacturer, model M92, unknown caliber machine gun, serial
- 13 # 83683;
- 14 65. Unknown manufacturer, model M92, unknown caliber machine gun,
- 15 serial # 83692;
- 16 66. Unknown manufacturer, model M92, unknown caliber machine gun, serial
- 17 # 82296;
- 18 67. Unknown manufacturer, unknown model, unknown caliber machine gun,
- 19 serial # SH2783;
- 20 68. Ruger, model P95DC, 9mm caliber hand gun, serial # 314-35165;
- 21 69. Glock, model 19, 9mm caliber hand gun, serial # GND176;
- 22 70. Ruger, model P95DC, 9mm caliber hand gun, serial # 314-39389;
- 23 71. Ruger, model P95DC, 9mm caliber pistol, serial # 315-64373;
- 24 72. Astra, model 800, 9mm handgun, serial # 830267; and
- 25 73. any and all ammunition;
- 26 ...

1 This Court finds the United States of America is now entitled to, and should, reduce the  
2 aforementioned property to the possession of the United States of America.

3 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
4 United States of America should seize the aforementioned property.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
6 OMAR AGUIRRE in the aforementioned property is forfeited and is vested in the United States of  
7 America and shall be safely held by the United States of America until further order of the Court.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
9 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
10 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state  
11 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state  
12 the name and contact information for the government attorney to be served with the petition, pursuant  
13 to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
15 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
17 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
18 following address at the time of filing:

19 MICHAEL A. HUMPHREYS  
Assistant United States Attorney  
20 DANIEL D. HOLLINGSWORTH  
Assistant United States Attorney  
21 Lloyd D. George United States Courthouse  
333 Las Vegas Boulevard South, Suite 5000  
22 Las Vegas, Nevada 89101.

23 ...

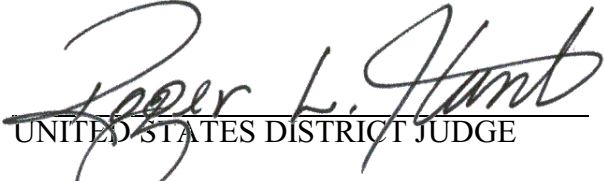
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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
3 following publication of notice of seizure and intent to administratively forfeit the above-described  
4 property.

5 DATED this 24th day of June, 2010.

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9 UNITED STATES DISTRICT JUDGE  
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**PROOF OF SERVICE**

I, Elizabeth A. Baechler-Warren, certify that the following individual was served with a copy of the Amended Preliminary Order of Forfeiture on May 3, 2011 by the below identified method of service:

E-mail/ECF

Charles E. Kelly  
Charles E. Kelly & Associates  
706 South Eighth Street  
Las Vegas, NV 89101  
Email: ceklv@aol.com  
*Counsel for the Defendant Omar Aguirre*

/s/Elizabeth A. Baechler-Warren  
\_\_\_\_\_  
ELIZABETH A. BAECHLER-WARREN  
Forfeiture Support Associates Paralegal